

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THEODORE J. FOLKMAN,

Plaintiff,

vs.

U.S. DEPARTMENT OF STATE,

Defendant

Civ. A. No.

COMPLAINT

JURISDICTION

1. This action arises under the law of the United States, namely, the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

STATEMENT OF THE CLAIM

2. On October 25, 2019, the plaintiff, Theodore J. Folkman, submitted a request under the FOIA to the State Department. A true copy of the request, and the State Department’s acknowledgment of receipt, is attached to this Complaint as Exhibit 1.

3. The State Department acknowledged receipt of the request, but it has not responded to the request, nor has it provided Folkman with a written notice under 5 U.S.C. § 552(a)(6)(B) extending the time for its response and providing a date on which a determination is expected to be dispatched. Folkman is therefore deemed to have exhausted his administrative remedies.

4. Folkman is entitled under the FOIA to receive copies of the records requested in his FOIA request.

DEMAND FOR RELIEF

Therefore, the plaintiff demands judgment enjoining the State Department from withholding the records requested in the FOIA request and ordering the production of the records improperly withheld; an award of reasonable attorney's fees; and costs.

Respectfully submitted,

/s/ Theodore J. Folkman

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